

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JAMES RANDALL FOSTER §
VS. § CIVIL ACTION NO. 1:03cv1376
WARDEN JACKIE EDWARDS §

ORDER


The court previously entered a final judgment dismissing this petition for writ of habeas corpus as barred by the applicable statute of limitations. Petitioner has filed a motion asking the court to reconsider its decision.

After considering the arguments raised by petitioner, the court remains of the opinion this petition was properly dismissed. It is therefore

ORDERED that the motion for reconsideration is **DENIED**. It is further

ORDERED that petitioner's motion seeking leave to proceed *in forma pauperis* on appeal is **GRANTED**.

SIGNED this the **27** day of **June**, 2005.


Thad Heartfield
United States District Judge